TABLE OF CONTENTS

SH 2423578

Witness [redacted]

Suspect Bobby Escobar

Involved Employee

Detective Matthew Landreth, #[redacted]

INTERNAL AFFAIRS BUREAU INTERVIEW TRANSCRIPTS

Employee Witnesses

Detective [redacted]

Detective [redacted]

Involved Employee

Detective Matthew Landreth

EXHIBITS

A **Los Angeles County Sheriff's Department Homicide Bureau Case Book under file number 017-03859-0491-055.**

B **Copies of Suspect Escobar's** [redacted]

C **GSU Surveillance and Apprehension Investigative Worksheet prepared by Detective** [redacted]

D **Los Angeles County District Attorney's Office Letter of Opinion, dated July 10, 2018. Justice System Integrity Division file number 17-0144.**

E **Consolidated Criminal History Reporting System Report for Suspect Bobby Escobar**

F **DVD-R Containing Suspect Escobar's Medical Report**

G **3 – DVD-R's and one CD-R containing photos taken by the Scientific Services Bureau. DVD-R Disc one (1) contains scene photos, DVD-R disc two (2) contains aerial scene photos, CD-R disc three (3) contains photos of Suspect Escobar's vehicle and firearm, and DVD-R disc four (4)**

H **DVD-R containing two videos of the incident**

I **Compact disc containing radio traffic**

J **Photos presented to Detectives [redacted], [redacted], and Landreth during their IAB interviews**

K **Detective Landreth's statement sent to IAB Investigator Moore via email**

MISCELLANEOUS DOCUMENTS

Signed Administrative Rights Force/Shooting Investigation forms

Donna Thomas, Los Angeles County Forensic Identification Specialist's computerized sketch of the crime scene

Shooting Records for Deputy Matthew Landreth

Suspect Escobar's Criminal Case Summary from www.lacourt.org, Case Number XSEVA144423-01



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

JACKIE LACEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
JOSEPH P. ESPOSITO • Assistant District Attorney

SCOTT K. GOODWIN • Director

July 10, 2018

CONTENTS 7/17/18 CAPT. C. BERGNER NOTED

Captain Christopher Bergner
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Officer Involved Shooting of Bobby Escobar
J.S.I.D. File #17-0144
L.A.S.D. File #017-03859-0492-055

Dear Captain Bergner:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the March 14, 2017, non-fatal shooting of Bobby Escobar by a member of the Los Angeles County Sheriff's Department. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

JACKIE LACEY
District Attorney

SHANNON PRESBY
Head Deputy District Attorney
Justice System Integrity Division

c Detective Matthew Landreth, #[redacted]

Hall of Justice
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213) 974-3888
Fax. (213) 626-5125

MEMORANDUM

TO: CAPTAIN CHRISTOPHER BERGNER
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Officer Involved Shooting of Bobby Escobar
J.S.I.D. File #17-0144
L.A.S.D. File #017-03859-0492-055

DATE: July 10, 2018

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the March 14, 2017, non-fatal shooting of Bobby Escobar by Los Angeles County Sheriff's Department (LASD) Detective Matthew Landreth. It is our conclusion that Detective Landreth acted in lawful self-defense.

The District Attorney's Command Center was notified of the shooting on March 14, 2017, at approximately 3:23 p.m. The District Attorney Response Team responded and was given a briefing and a walk-through of the scene.

The following analysis is based on various reports, witness statements, video recordings and photographs submitted by the Los Angeles County Sheriff's Department (LASD) Detective Division, Homicide Bureau.

FACTUAL ANALYSIS

On March 14, 2017, members of the LASD Operation Safe Streets Gang Surveillance Unit (GSU) were tasked with locating and arresting suspect Bobby Escobar, a member of the Pico Nuevo gang, who was wanted for [redacted] Escobar's [redacted] In addition, GSU members had received information from a confidential source indicating that Escobar had been involved in a car to car shooting.

GSU members Sergeant Joseph Valencia, Deputy [redacted] Deputy Marcelo Campos, Detective Theodore Woodard, Deputy Derek White, Detective [redacted] Deputy [redacted] U. S. Marshall [redacted] Detective Adam Navarette, Detective Matthew Landreth and Detective Chris Mezzano devised a plan to surveil a single family home located at [redacted] in the City of [redacted] where Escobar was suspected of staying with [redacted]

The GSU team members, most of whom were driving undercover vehicles, traveled to [redacted] and positioned themselves around the residence and in the surrounding neighborhood to conduct surveillance. Campos and Woodard, who were driving a marked police vehicle and were in full uniform, were designated as the "take down" unit that would actually arrest Escobar if he was spotted during the surveillance. Campos and Woodard positioned themselves away from the Tarryton Avenue location.[1]



Google Maps photo, 13700 block of Mulberry Drive and immediately adjacent access road.

White was assigned to act as the primary surveillance unit and to relay his observations to the other members of the surveillance team. White observed a gold Chevrolet Malibu pull into the driveway and relayed his observations to the rest of the surveillance team. White requested that a member of the surveillance team drive by the residence to identify the female driver (later identified as [redacted] of the car and her passenger (later identified as Escobar).

[1] Mulberry Drive in the City of Whittier is a large, heavily trafficked street running northwest and southeast with three lanes of travel in each direction. At the 13700 block of Mulberry Drive, an unmarked access road is located immediately south of Mulberry Drive and runs parallel to the front entrance of several residences. Each end of the access road terminates in a cul de sac. One cul de sac is located at the northwest extreme of the access road, while the other lies at the southeast extreme. Mulberry Drive and the access road are separated from each other by a low raised concrete island. The only entrance to this access road is located at the southeast portion of the road.

Before any team member could respond, [redacted] and Escobar left the location in the Malibu and drove north on Tarryton Avenue towards Mulberry Drive. Navarette, Mezzano and Landreth followed the Malibu as it turned east and drove down Mulberry Drive.

[redacted] abruptly turned right into the entrance of the access road on the 13700 block of Mulberry Drive and parked her car on the north side of the cul de sac located at the southeast extreme of the access road. A fruit stand was positioned on the concrete island and a Fed Ex truck was parked on the street. To avoid raising Escobar's suspicions, Mezzano drove past Escobar's location without stopping.

Navarette drove eastbound past Escobar and [redacted] and then initiated a U-turn back toward their location. As Navarette drove westbound past Escobar, Navarette could not positively confirm Escobar's identity. Consequently, Navarette requested that the "take down unit" (Woodard and Campos) respond to the 13700 block of Mulberry Drive to conduct a traffic stop of the Malibu. Navarette further directed Landreth to position himself north of the Malibu and directed Mezzano to approach the Malibu from the east. Navarette informed the rest of the team he would approach from the west.

Woodard and Campos turned right on Mulberry Drive, but mistakenly drove past [redacted] and Escobar. The deputies made a U-turn and then drove west towards Escobar. As they drove by Escobar's location once more, Woodard made eye contact with Escobar. Due to this contact, Woodard believed that Escobar became aware that he was under surveillance.

Woodard radioed the rest of the team to inform them that he and Campos had spotted Escobar and were 100% sure of his identity. All GSU members who had remained behind during the surveillance at the Tarryton address were directed to respond to the 13700 block of Mulberry Drive in anticipation of Escobar's arrest.

At approximately the same time these events were unfolding, Navarette entered the access road and drove towards the Malibu. He saw that the passenger side door of the car was open and that Escobar was still seated in the vehicle. Navarette further observed Escobar looking north towards the take down vehicle as it passed their location.

After looking at the take down unit, Escobar looked at Navarette, who had his windows down. Escobar appeared startled.

Almost simultaneously, Landreth, who was driving eastbound on Mulberry Drive in a grey pickup truck, stopped his vehicle in the number three lane parallel to the Malibu, with only the center concrete median between them. Navarette, who was still in his car, yelled, "Sheriff!" at Escobar. Landreth exited and took cover behind his truck as he yelled, "Sheriff's Department! Stop! Get on the ground!"

As Escobar stood up from his seated position and fully exited the Malibu, Landreth spotted a gun in his right hand. Escobar initially ran northwest but then changed direction, ran towards Landreth and pointed the gun at him. Based on his conduct, Landreth believed that Escobar was

going to shoot him or take his car at gunpoint. Landreth fired his service weapon three times at Escobar as Escobar was only two to three feet away. Escobar, who was struck by gunfire, fell to the ground but did not drop his weapon. Instead, Escobar rolled his body towards Landreth and pointed the gun at him. Landreth, still fearing for his life, fired at Escobar again. Escobar dropped his gun and stayed on the ground.[2] In total, Landreth fired at Escobar six times. Escobar was struck by gunfire on the left leg, in the suprapubic area, right hand, right hip and left arm.

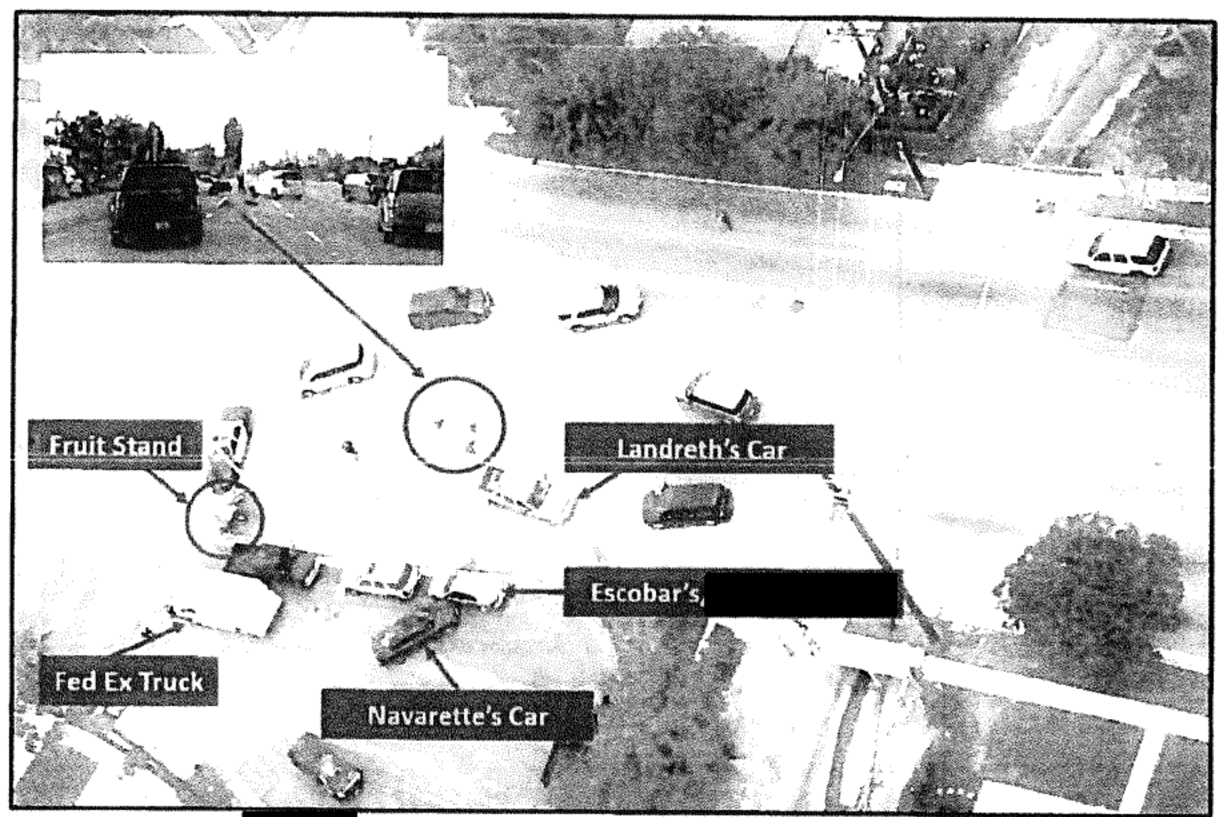
Navarette, who heard the shots but could not see what had occurred, exited his car and immediately ran north towards Landreth's vehicle. Navarette feared that Landreth had been shot by Escobar. In his rush to aid Landreth, Navarette forgot to place his car in park. The car rolled slowly forward and its front end hit the driver's side of the Malibu. When Navarette reached Landreth, he saw Landreth holding Escobar, who was on the ground, at gun point.

Several members of the GSU team, who were either in route or had been delayed after driving past the location, arrived at the 13700 block of Mulberry Drive within seconds of the shooting. Woodard and Campos tried to make an immediate U-turn back to Escobar's location but were blocked by traffic. As they waited to make their U-turn, they heard gun shots and then immediately drove back to the location. Campos and Navarette handcuffed Escobar.

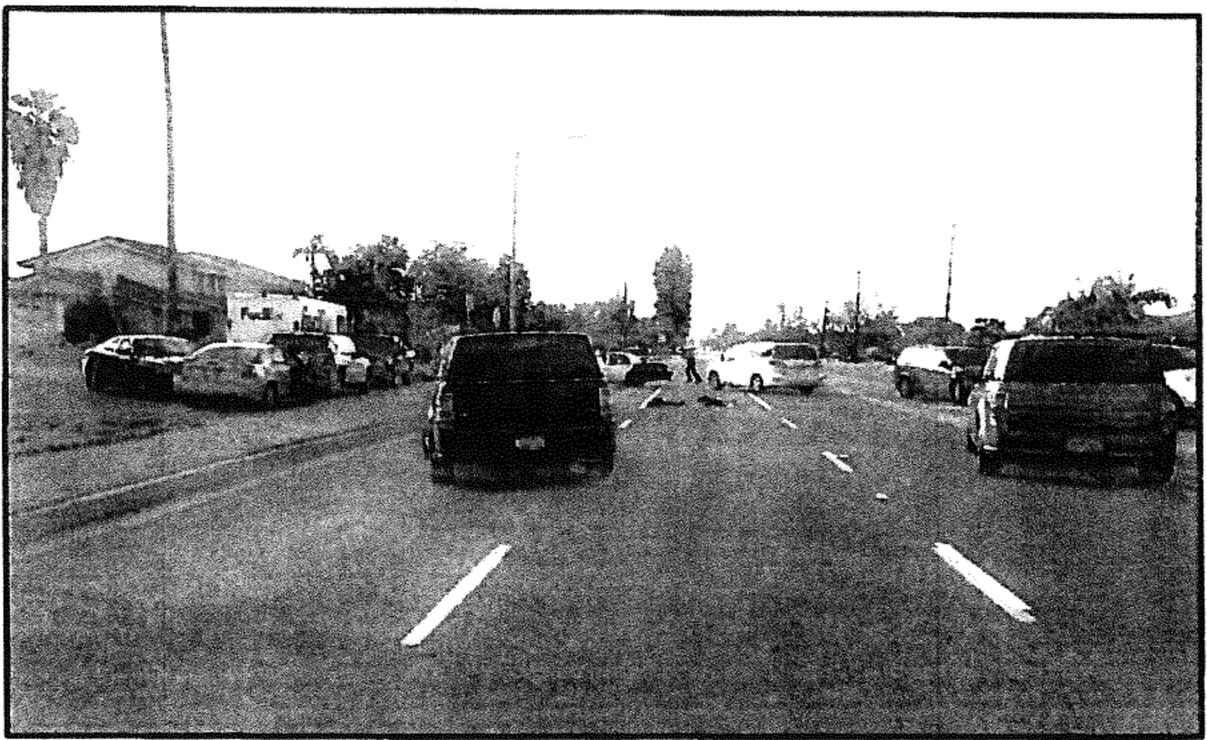
Mezzano arrived after having to drive ¼ mile to make a U-turn. Mezzano observed Escobar lying on the ground with a gun next to him. [redacted] also arrived at the location shortly after the shooting and saw Landreth and Navarette standing over Escobar. [redacted] also saw Escobar's gun lying in the street. [redacted] radioed for medical assistance.

Valencia, White, [redacted], and [redacted] also arrived after the shooting had taken place.

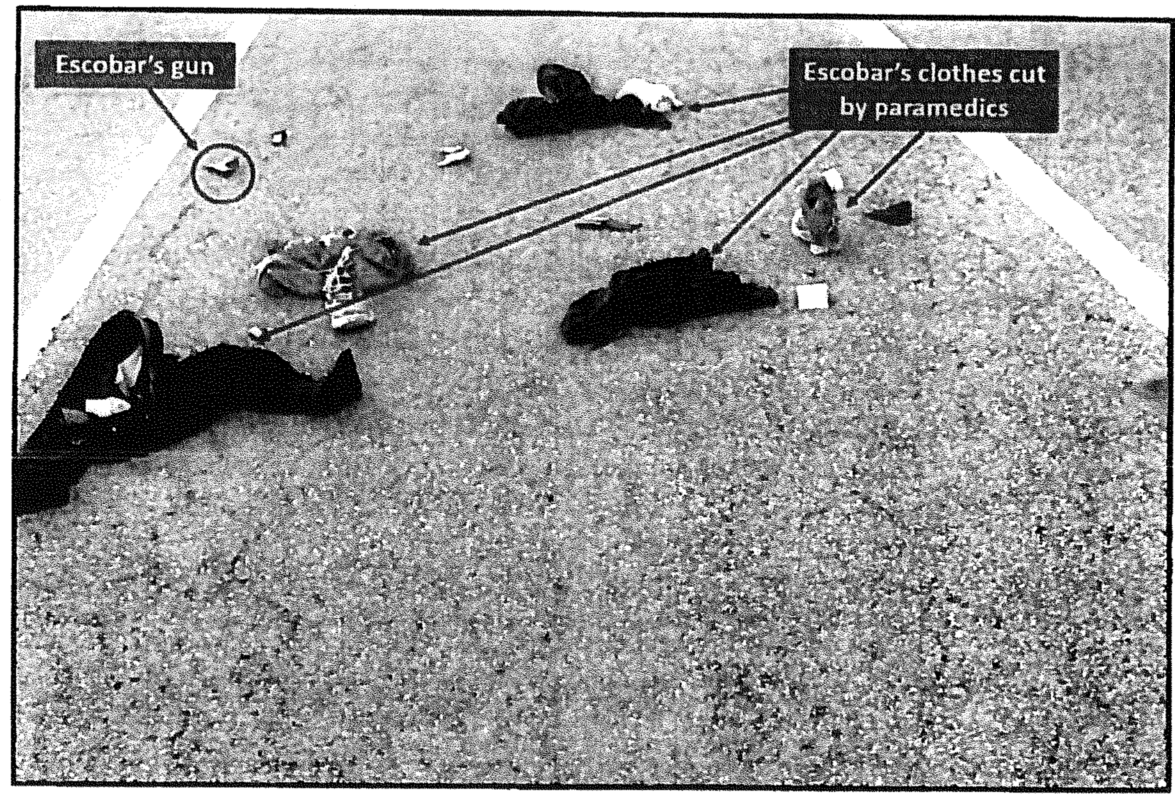
[2] The magazine belonging to Escobar's gun was found on the ground close to his gun. Based upon the evidence reviewed in the present case, including statements from LASD Detective Gail Durham, it appears that the magazine was not properly seated and either fell out of Escobar's firearm when he dropped it or was inadvertently ejected by Escobar by pressing on the magazine release button.



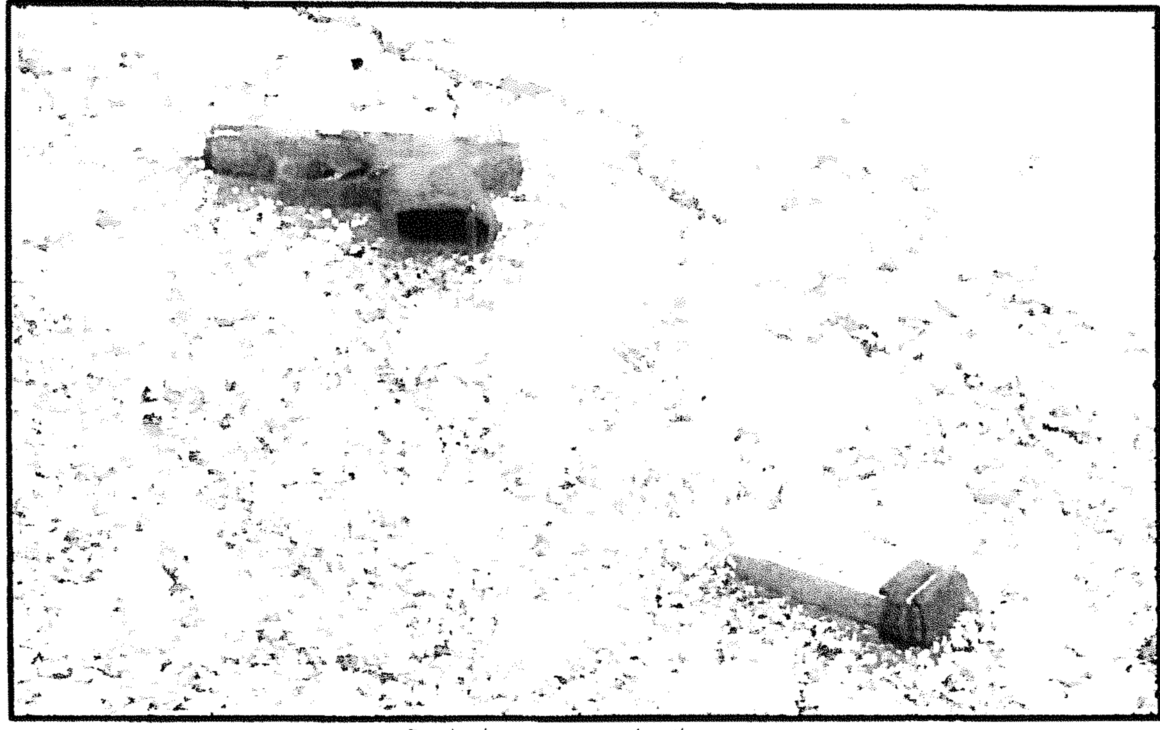
[redacted] vehicle and law enforcement vehicles positioned at the entrance to the Mulberry Drive access road after the officer involved shooting



Street view, facing west, of law enforcement vehicles positioned at the entrance to the Mulberry Drive access road after the officer involved shooting (Landreth's truck blocked from view).



Escobar's gun, clothes, medical debris, wallet and casings.



Escobar's gun recovered at the scene.

Escobar's firearm, a .40 caliber semi-automatic with a loaded magazine, was recovered and booked into evidence by the LASD Scientific Services Bureau.

Escobar was interviewed at the hospital and Escobar explained that when he encountered the deputies, he believed they were his "enemies" and ran. [3] Escobar admitted having a pistol in his pocket at the time he was shot; he explained that he had started carrying a gun for self-defense after being stabbed in a park in the City of Whitter. Escobar claimed that he had "found the gun … in the river." [4] Escobar denied that he had ever displayed the pistol before being shot or that he had pointed it at any law enforcement officer. Escobar also denied membership in the Pico Nuevo gang, even though investigators observed the letters P and N tattooed on Escobar's body. Escobar also denied being under the influence of any narcotics during the incident.

LASD Deputies and Detectives canvassed the area to find any potential witnesses.

As [redacted] was waiting for his order at the fruit stand, he saw a black vehicle (driven by Navarette) enter the access road at high speed. From his point of view, he saw a man exit a black car and run into the middle of the street. [redacted] heard a voice say "Stop! Don't Move!" [redacted] then heard approximately seven gunshots and saw a male (Landreth) wearing a vest with Sheriff written on it. [redacted] saw the suspect (Escobar) on the street with a gun next to his body. Additional deputies arrived within seconds and Escobar was handcuffed.

[redacted] was parked facing east on the north side of Mulberry Drive, east of the fruit stand. As he sat in his car eating, he observed a grey truck stop in the street (Mulberry Drive) and a man (Landreth) get out of the truck. Landreth yelled " Stop! Stop! Oh Shit!" and shortly thereafter [redacted] heard four gunshots. [redacted] saw the person who had been shot (Escobar) fall to the ground and observed a gun next to him. Approximately ten seconds later, other deputies arrived to assist.

[redacted] was parked in the cul de sac at the end of the access road facing north when she noticed a gold vehicle driven by a woman [redacted] with a passenger (Escobar) pull into the access road and park. [redacted] saw Escobar exit the gold car and run northbound across Mulberry Drive. At approximately the same time, [redacted] exited the gold car. [redacted] then saw a silver truck stop facing east on Mulberry Drive. The driver of the truck (Landreth), who was wearing a vest, exited the truck and shot Escobar.

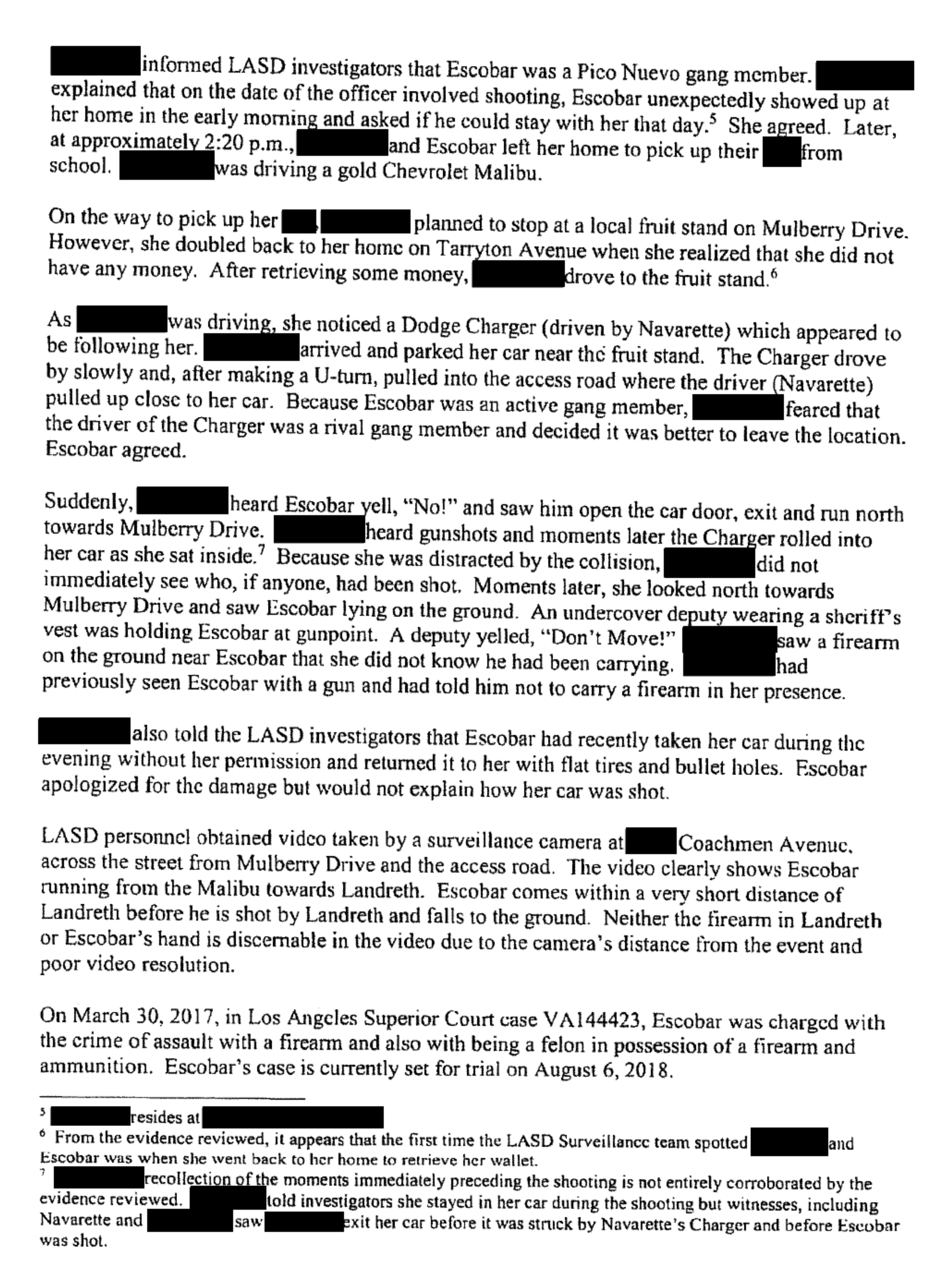
[redacted] did not hear anyone say anything prior to the shooting and did not see if Escobar was armed. She explained, however, that her view of the incident was obstructed by vehicles parked west of her location and therefore she had a hard time seeing Escobar.

[redacted] was [redacted] on the center island dividing Mulberry Drive from the access road when she saw a black car (Navarette) and the Malibu quickly drive into the cul de sac at the southeast end of the access road. [redacted] saw Navarette block the Malibu. She heard gunfire and saw a deputy, wearing a vest that said Sheriff, holding a gun. The man who was shot (Escobar) was handcuffed and an ambulance came to the location to treat him.

---

[3] Escobar's interview was recorded.

[4] LASD investigators learned that the gun used by Escobar was reported stolen by [redacted], the [redacted] of a Pico Nuevo gang member, on December 15, 2016. [redacted] admitted that her [redacted] was an associate of Escobar's, but denied knowing Escobar personally or having given him the firearm. [redacted] filed a report stating the gun was stolen out of her car trunk, but later gave LASD investigators conflicting statements regarding how the gun was stolen which raised questions about her credibility and the veracity of her report.



[redacted] informed LASD investigators that Escobar was a Pico Nuevo gang member. [redacted] explained that on the date of the officer involved shooting, Escobar unexpectedly showed up at her home in the early morning and asked if he could stay with her that day.[5] She agreed. Later, at approximately 2:20 p.m., [redacted] and Escobar left her home to pick up their [redacted] from school. [redacted] was driving a gold Chevrolet Malibu.

On the way to pick up her [redacted], [redacted] planned to stop at a local fruit stand on Mulberry Drive. However, she doubled back to her home on Tarryton Avenue when she realized that she did not have any money. After retrieving some money, [redacted] drove to the fruit stand.[6]

As [redacted] was driving, she noticed a Dodge Charger (driven by Navarette) which appeared to be following her. [redacted] arrived and parked her car near the fruit stand. The Charger drove by slowly and, after making a U-turn, pulled into the access road where the driver (Navarette) pulled up close to her car. Because Escobar was an active gang member, [redacted] feared that the driver of the Charger was a rival gang member and decided it was better to leave the location. Escobar agreed.

Suddenly, [redacted] heard Escobar yell, "No!" and saw him open the car door, exit and run north towards Mulberry Drive. [redacted] heard gunshots and moments later the Charger rolled into her car as she sat inside.[7] Because she was distracted by the collision, [redacted] did not immediately see who, if anyone, had been shot. Moments later, she looked north towards Mulberry Drive and saw Escobar lying on the ground. An undercover deputy wearing a sheriff's vest was holding Escobar at gunpoint. A deputy yelled, "Don't Move!" [redacted] saw a firearm on the ground near Escobar that she did not know he had been carrying. [redacted] had previously seen Escobar with a gun and had told him not to carry a firearm in her presence.

[redacted] also told the LASD investigators that Escobar had recently taken her car during the evening without her permission and returned it to her with flat tires and bullet holes. Escobar apologized for the damage but would not explain how her car was shot.

LASD personnel obtained video taken by a surveillance camera at [redacted] Coachmen Avenue, across the street from Mulberry Drive and the access road. The video clearly shows Escobar running from the Malibu towards Landreth. Escobar comes within a very short distance of Landreth before he is shot by Landreth and falls to the ground. Neither the firearm in Landreth or Escobar's hand is discernable in the video due to the camera's distance from the event and poor video resolution.

On March 30, 2017, in Los Angeles Superior Court case VA144423, Escobar was charged with the crime of assault with a firearm and also with being a felon in possession of a firearm and ammunition. Escobar's case is currently set for trial on August 6, 2018.

---

[5] [redacted] resides at [redacted]

[6] From the evidence reviewed, it appears that the first time the LASD Surveillance team spotted [redacted] and Escobar was when she went back to her home to retrieve her wallet.

[7] [redacted] recollection of the moments immediately preceding the shooting is not entirely corroborated by the evidence reviewed. [redacted] told investigators she stayed in her car during the shooting but witnesses, including Navarette and [redacted] saw [redacted] exit her car before it was struck by Navarette's Charger and before Escobar was shot.

LEGAL ANALYSIS

The use of deadly force in self-defense or in the defense of another is justifiable if the person claiming the right actually and reasonably believed the following: (1) that he or someone else was in imminent danger of being killed or suffering great bodily injury; (2) that the immediate use of force was necessary to defend against that danger; and (3) that he used no more force than was reasonably necessary to defend against that danger. See, *CALCRIM No. 505*.

The test for whether an officer's actions were objectively reasonable is "highly deferential to the police officer's need to protect himself and others." *Munoz v. City of Union City* (2004) 120 Cal.App.4th 1077, 1102. Reasonableness of force used by an officer depends on the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight. *Graham v. Connor* (1989) 490 U.S. 386, 396. "The reasonableness of the particular force used must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight." *Id.* "The calculus of reasonableness must embody allowance for the fact that police are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." *Id.* at 396-97.

In California, the evaluation of the reasonableness of a police officer's use of deadly force is determined by applying a reasonable person acting as a police officer standard. *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146 (holding that California law "follows the objective 'reasonable person' standard—the trier of fact is required to evaluate the conduct of a reasonable person in the defendant's position [citations omitted] . . . the jury should consider all relevant circumstances surrounding the defendant's conduct. This enables the jury to evaluate the conduct of a reasonable person functioning as a police officer in a stressful situation—but this is not the same as following a special 'reasonable police officer' standard.").

CONCLUSION

The evidence examined in this investigation shows that Detective Landreth reasonably believed that Bobby Escobar posed a significant and immediate threat of death or serious bodily injury and that he acted in lawful self-defense.

Prior to contacting Escobar, Landreth, along with other members of the LASD Operation Safe Streets Gang Surveillance Unit, had received information indicating that Escobar was dangerous, a Pico Nuevo gang member, and had an [redacted]. Given this information, it was reasonable for Landreth and his fellow deputies to be highly vigilant and cautious in conducting their operation to arrest Escobar.

When Navarette made contact with Escobar and identified himself as a sheriff's deputy, Escobar did not surrender but instead ran onto Mulberry Drive where he encountered Landreth. When Landreth also identified himself as a sheriff's deputy and ordered Escobar to stop and get on the ground, Escobar did not comply with his orders either.

Instead, Escobar, armed with a handgun, ran towards Landreth pointing the pistol at him. Given Escobar's conduct, Landreth reasonably concluded that he was in imminent peril of great bodily injury or death. Consequently, Landreth fired his service weapon at Escobar. Even after being shot, however, Escobar did not relinquish his pistol or surrender. Instead, he pointed his firearm at Landreth once more. Landreth fired a second volley of shots at Escobar. Escobar dropped his weapon and Landreth refrained from firing at him a third time.

When interviewed, Escobar denied pointing a firearm at Landreth and claimed he had only been carrying the firearm in his pocket. However, Escobar's statements to LASD investigators raise substantial questions regarding his credibility and the veracity of his denial.

Escobar's claim that he mistook Landreth and his LASD investigators for his "enemies," is not credible. Both Landreth and Navarette identified themselves as members of the Sheriff's Department when they attempted to detain him. In addition, witnesses indicated that Landreth was wearing a vest with the word "Sheriff" written on it.

Escobar's statement that he had found his firearm "in the river" is similarly suspect. Through their investigation, LASD investigators learned that the gun used by Escobar had been owned by [redacted] the [redacted] of a fellow Pico Nuevo gang member, who reported the gun stolen.

Escobar also denied being a gang member even though [redacted], the [redacted] of his [redacted] confirmed that he was a member of Pico Nuevo, and investigators saw tattoos on his body identifying him as a member of Pico Nuevo.

Finally, several witnesses reported seeing Escobar's firearm lying next to him only moments after he was shot, contradicting his story that the firearm was in his pocket at the time he was shot.

In conclusion, the evidence reviewed in this case demonstrates that Detective Landreth acted in lawful self-defense. We are therefore closing our file and will take no further action in this matter.

TABLE OF CONTENTS

SH 2423578

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY (ADDENDUM)

INCIDENT: **On-Duty Hit Shooting, Suspect Injured**

IAB FILE NUMBER: **SH 2423578**

URN#: **017-03859-0491-055**

DATE/TIME: **March 14, 2017, 1431 hours**

LOCATION: [redacted] **Mulberry Drive, Whittier**

The purpose of this addendum is to include an interview with Los Angeles County Sheriff's Department Detective Adam Navarrette. Detective Navarrette was assigned to the surveillance operation to apprehend Suspect Escobar. He was identified as a key witness to the sequence of events leading up to the shooting.

DETECTIVE ADAM NAVARRETTE

On March 14, 2017, Homicide Detectives Cooper and Durham interviewed Detective Navarrette. A summary of this interview can be found in the Homicide Casebook **[EXHIBIT A, pages 84-86]**.

Internal Affairs Bureau investigators interviewed Detective Navarrette. The interview was digitally recorded and transcribed. The following is a summary of the interview. For more information and precise wording, see the attached verbatim transcripts.

The photograph referenced during the IAB employee witness interview is referenced as **[EXHIBIT L]**. The photograph presented during this interview aided in identifying approximate locations of personnel and provided reference points for Detective Navarrette's observations.

On May 27, 2019, IAB investigators interviewed (Gang Surveillance Unit) GSU Detective Navarrette at the Internal Affairs Bureau office. Detective Navarrette stated he was part of the surveillance operation to apprehend Suspect Escobar.

Prior to the operation, a briefing was held informing the team of Suspect Escobar's [redacted] and his involvement in a recent car-to-car shooting. The team was also informed Suspect Escobar often carried a handgun.

Detective Navarrette was assigned to a position just north of [redacted] in the city of [redacted] (target location). During the surveillance operation, the suspect's vehicle drove to the target location, parked, and subsequently left, driving north on Tarryton Avenue. The suspect's vehicle drove past him, but he was unable to identify its occupants.

Detectives Mezzano, Navarrette, and Landreth followed the suspect's vehicle in an attempt to identify its occupants. Detective Mezzano was the first, followed by Detectives Navarrette, and Landreth. As the suspect's vehicle turned onto east Mulberry Drive, Detective Navarrette noticed it abruptly enter a frontage road. Detective Navarrette continued east on Mulberry Drive. As Detective Navarrette drove past the frontage road, he saw the suspect's vehicle parking. Detective Navarrette was unable to identify the suspect vehicle's occupants as he passed the frontage road. At this point, the takedown unit was requested to conduct a traffic stop on the suspect's vehicle. The takedown unit passed the entrance to the frontage road and was unable to complete the traffic stop. Using the photograph provided during the interview, Detective Navarrette marked the entrance of the frontage road with a large circle **[Refer to EXHIBIT L, Navarrette, photo 1]**.

Detective Navarrette continued east on Mulberry Drive and negotiated a U-turn at Calmada Avenue. After he completed his U-turn, he saw the suspect's vehicle parked adjacent to the north curb of the frontage road. On the photograph provided during the interview, Detective Navarrette placed a rectangle with an "X" in the middle to indicate where the suspect's vehicle was parked. The triangle connected to the rectangle indicates the direction the suspect's vehicle was facing **[Refer to EXHIBIT L, Navarrette, photo 1]**.

Detective Navarrette tried to find a place to stop on Mulberry Drive to monitor the suspect's vehicle. Due to the volume of traffic on the street, he determined the only place he could effectively monitor the suspect's vehicle was from inside the frontage road. Detective Navarrette entered the frontage road with the intent of driving by the suspect's vehicle in a second attempt at identifying the suspect vehicle's occupants. After driving by the suspect's vehicle, he planned to negotiate a U-turn in the cul-de-sac and park to the west of the suspect's vehicle. He would then be able to guide the takedown unit via radio to the suspect's vehicle. Driving by a suspect's vehicle to identify its occupants is a common surveillance practice, something Detective Navarrette has done on numerous occasions.

As Detective Navarrette entered the frontage road, he stopped to the south of a FedEx truck that was double parked to the west of the suspect's vehicle. Detective Navarrette could not proceed with his planned U-turn in the cul-de-sac due to a pedestrian crossing

the street in front of his vehicle. The pedestrian was a female who appeared to be walking away from the suspect's vehicle. While waiting for the pedestrian to cross the street, Detective Navarrette was able to see the suspect's vehicle. Detective Navarrette saw Suspect Escobar outside of the suspect's vehicle, crouched down near the open front passenger door. On photograph provided during the interview, Detective Navarrette marked his approximate position using a square. The triangle connected to the square indicates the direction Detective Navarrette's vehicle was facing. He marked the approximate position of the FedEx truck with a rectangle. The other cars on the frontage road were marked using small squares **[Refer to EXHIBIT L, Navarrette, photo 1]**.

Suspect Escobar was looking around and it appeared to Detective Navarrette, Suspect Escobar was staring at the takedown unit as it continued east on Mulberry Drive. Detective Navarrette believed, based on Suspect Escobar's behavior, Suspect Escobar identified the takedown unit. Detective Navarrette notified the other units on his team via radio that the male passenger was Suspect Escobar.

Suspect Escobar stood up and ran toward Detective Navarrette. Suspect Escobar was holding his waistband while running. Detective Navarrette thought Suspect Escobar was carrying a handgun in his waistband and was going to carjack him. Detective Navarrette was fearful and felt helpless. He quickly exited his vehicle, un-holstered his handgun, pointed it at Suspect Escobar, and yelled, "Sheriff!" **[See IAB transcripts, page 14, lines 3-15]**.

Suspect Escobar immediately turned and ran north, away from Detective Navarrette. As Suspect Escobar ran north, the FedEx truck blocked Detective Navarrette's view and he could no longer see Suspect Escobar. Detective Navarrette subsequently heard five to eight gunshots.

Detective Navarrette believed he saw Detective Landreth's truck arrive, but was not sure exactly when. Detective Navarrette knew, based the team's coordination over the radio that Detective Landreth was to his north. With this in mind, he thought Suspect Escobar shot Detective Landreth. Detective Navarrette immediately ran to the north, toward the sound of the gunshots. When he ran out of the frontage road and onto Mulberry Drive, he saw Detective Landreth detaining Suspect Escobar at gunpoint. Suspect Escobar was on the ground with a black handgun lying next to his body. Detective Navarrette moved the handgun away from Suspect Escobar and provided medical attention to him. On the photograph provided during the interview, Detective Navarrette marked Suspect Escobar's approximate position on Mulberry Drive with an "X" **[Refer to EXHIBIT L, Navarrette, photo 1]**.

Detective Navarrette forgot to put his vehicle in park and it subsequently rolled forward and collided with the suspect's vehicle. It was not his intention to leave his vehicle; however, after hearing the gunshots, and believing Detective Landreth was shot, he ran to Detective Landreth's aid.